

Combines Investigation Act

have thought if they had any evidence whatever or any witnesses to show that there was an understanding they would have produced either the documents or the witnesses?

Mr. Garson: I shall try to answer that question as fairly as I know how. My answer will not be worth a great deal because I have never acted as defence counsel in combines act prosecutions. Lawyers who are accustomed to acting for the defence in these different types of prosecutions build up a certain technique. My hon. friend the member for Lake Centre (Mr. Diefenbaker) can tell you about it. This reply is just that of an uninformed person, but I would imagine probably the best technique in a combines investigation might be to sit tight and not make any moves at all, but reserving those for the trial. Otherwise, one would give one's case away to some extent.

Mr. Coldwell: If they thought they were going to be prosecuted, they must have felt that they were doing wrong.

Mr. Garson: No, they would not have thought they were going to be prosecuted. Let my hon. friend put himself in the position of any one of those people. Suppose you were under investigation and as the member for Calgary West (Mr. Smith) said the other day, they rolled up with a truck and started unloading the files from your office, would you not draw into yourself a bit and be rather cautious and careful about your next move, regardless of whether you felt guilty?

Mr. Coldwell: I have nothing I need be ashamed of.

Mr. Garson: I believe that completes the questions asked by the hon. member for Lake Centre.

Mr. Knowles: On a matter of privilege; during an interchange a few minutes ago the Minister of Justice more or less accused me of making an ungenerous interpretation

of the law. May I say to him what I had in mind was the case to which he has just referred, namely the Canadian Import case. I had in mind precisely the comment he has made with respect to that case. The Prime Minister said the same thing the other night, that the series of facts upon which they relied had commenced more than two years before the prosecution and—please note—had continued right up to the time of the prosecution. It was the continuing of the acts that made these people liable. My contention is that, even after the fifteen days had gone by, it was the continuing refusal, the continuing and repeated decision on the part of the minister and the government, not to publish the report which makes what has been done an offence against the law.

Progress reported.

BANKING AND COMMERCE

CONCURRENCE IN FIRST REPORT

Mr. Hughes Cleaver (Halion) presented the first report of the standing committee on banking and commerce, and moved that the report be concurred in.

Motion agreed to.

BUSINESS OF THE HOUSE

Mr. Fournier (Hull): At eleven o'clock tomorrow we shall continue with this Bill No. 144, the Combines Investigation Act. If we get through before one o'clock, we shall take up the two small bills I have mentioned many times, Nos. 64 and 65, the justice bills. At three o'clock in the afternoon, we shall take up the national defence estimates, and if we complete those estimates we shall take up the estimates of the secretary of state.

At six o'clock the house adjourned, without question put, pursuant to standing order.